Notice of Allowability	Application No.	Applicant(s)	
	09/574,569	MCLEAN ET AL.	
	Examiner	Art Unit	
	Harish T. Dass	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *5/29/2007*.

2. ☒ The allowed claim(s) is/are *1-52*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This communication is in response to applicant's paper filed on 5/29/2007 and communication of Attorney David Alberti (Fax dated 10/26/2007).

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims are amended as followings:

-- Claim 1 (currently amended):

1. A computer-implemented method of processing data relating to the performance of a business enterprise in creating value, comprising:

developing a data structure, by use of a computer system, including one or more assumed variables that have an influence on a future financial value stream of the business enterprise and at least one future or past event linked to each assumed variable that influences the corresponding assumed variable;

determining, by use of the computer system, a first present value of the future financial value stream of the business enterprise with respect to a first point in time by aggregating the influences on the future financial value stream attributable to the

assumed variable and adjusting the future financial value stream for a time value of money;

receiving as input into the computer system data from a user indicating the occurrence or non-occurrence of one or more of the future events;

determining, by use of the computer system and in response to the occurrence or non-occurrence of one or more of the future events, whether one or more of the assumed variables have changed and whether the influenced future financial value stream has changed; [[end]]

determining, by use of the computer system, a second present value of the future financial value stream with respect to a second point in time taking into account the one or more assumed variables that changed in response to the occurrence or non-occurrence of the one or more of the future events [[.]];

determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time; and

attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time. --

-- Claim 9 (currently amended):

9. A computer-implemented method of processing data relating to the performance of a business enterprise in creating value, comprising:

developing a data structure, by use of a computer system, including a plurality of future financial value streams, each future financial value stream having one or more assumed variables that have an influence on a future financial value stream of the business enterprise and at least one future or past event linked to each assumed variable that influences the corresponding assumed variable;

determining, by use of the computer system, a present value of each future financial value stream of the business enterprise with respect to a first point in time by aggregating the influences on the future financial value stream attributable to the assumed variables of the future financial value streams and adjusting the future financial value streams for a time value of money;

aggregating the present value of each future financial value stream to form a first aggregate present financial value of the plurality of future financial value streams;

receiving as input into the computer system data from a user indicating the occurrence or non-occurrence of one or more of the future events;

determining, by use of the computer system and in response to the occurrence or non-occurrence of one or more of the future events for one or more of the future financial value streams, whether one or more of the assumed variables have changed and whether the influenced future financial value stream has changed; [[and]]

forming a second aggregate present value of the plurality of future financial value streams taking into account the one or more assumed variables that changed in response to the occurrence or non-occurrence of the one or more of the future events[[.]];

determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time; and

attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time. --

-- Claim 17 (currently amended):

17. A computer-implemented method of processing data relating to the performance of a business enterprise in creating value, comprising:

developing a data structure, by use of a computer system, including one or more assumed variables that have an influence on a future financial value stream of the business enterprise and at least one future or past event linked to each assumed variable that influences the corresponding assumed variable;

determining, by use of the computer system, a first present value of the future financial value stream of the business enterprise with respect to a first point in time as of a first specified date by aggregating the influences on the future financial value stream attributable to the assumed variables and adjusting the future financial value stream for a time value of money;

determining, by use of the computer system, a second present value of the future financial value stream of the business enterprise with respect to a second point in time as of a second specified date by aggregating the influences on the future financial value

stream attributable to the assumed variables and adjusting the future financial value stream for a time value of money;

determining, by use of the computer system, a variance between the first present value and the second present value taking into account a time value of money between the first and second dates; [[and]]

attributing the variance between the first present value and the second present value to events that occurred between the first and second specified dates [[.]];

determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time; and

attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time. --

-- Claim 21 (currently amended):

21. A computer-implemented method of processing data relating to the performance of a business enterprise in creating value, comprising:

selecting a stakeholder perspective from among a plurality of stakeholder perspectives for determining a present value of a future financial value stream of the business enterprise;

developing, by use of a computer system, a data structure including one or more assumed variables that have an influence on the future financial value stream of the

business enterprise from the perspective of the selected stakeholder and at least one future or past event linked to each assumed variable that influences the corresponding assumption; [[and]]

determining, by use of the computer system, a present value of the future financial value stream of the business enterprise with respect to a first point in time from the perspective of the selected stakeholder by aggregating the influences on the future financial value stream attributable to the assumed variables and adjusting the future financial value stream for a time value of money[[.]];

determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time; and

attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time. –

-- Claim 29 (currently amended):

29. A computer-implemented method of processing data relating to the performance of a business enterprise in creating value, comprising:

developing a data structure, by use of a computer system, including one or more assumed variables that have an influence on a future financial value stream of the business enterprise and at least one future or past event linked to each assumed variable that influences the corresponding assumed variable;

identifying and segregating risks specific to the future financial value stream from risks specific to the business enterprise or industry as a whole;

assigning probabilities to the events or assumed variables based on the identified risks;

determining, by use of the computer system, a first present value of the future financial value stream of the business enterprise with respect to a first point in time by aggregating the influences on the future financial value stream attributable to the assumed variables, adjusting the future financial values stream by the assigned probabilities, and further adjusting the future financial value stream for a time value of money;

receiving as input into the computer system data from a user indicating the occurrence or non-occurrence of one or more of the future events;

determining, by use of the computer system and in response to the occurrence or non-occurrence of one or more of the future events, whether one or more of the assumed variables have changed and whether the influenced future financial value stream has changed; [[and]]

determining, by use of the computer system, a second present value of the future financial value stream with respect to a second point in time taking into account the one or more assumed variables that changed in response to the occurrence or non-occurrence of the one or more of the future events[[.]];

determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time; and

attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time. --

-- Claim 37 (currently amended):

37. A computer-implemented method of processing data relating to the performance of a business enterprise in creating value, comprising:

developing, by use of a computer system, a data structure including one or more assumed variables that have an influence on a future financial value stream of the business enterprise and at least one future or past event linked to each assumed variable that influences the corresponding assumed variable;

determining, by use of the computer system, a present value of the future financial value stream of the business enterprise with respect to a first point in time by aggregating the influences on the future financial value stream attributable to the assumed variables and adjusting the future financial value stream for a time value of money, wherein the events and assumed variables collectively form a base case scenario for the business enterprise, and the first present value of the future financial value stream is based upon the base case scenario;

changing one or more of the assumed variables, to form an alternate scenario including the changed assumed variables;

determining, by use of the computer system, the present value of the future financial value stream based upon the alternate scenario; [[and]]

comparing the present value of the future financial value stream based upon the alternate scenario to the first present value of the future financial value stream based upon the base case scenario[[.]];

determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time; and

attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time. --

-- Claim 44 (currently amended):

44. A computer-implemented method of processing data relating to the performance of a business enterprise in creating value, comprising:

developing, by use of a computer system, a data structure including one or more assumed variables that have an influence on a future financial value stream of the business enterprise and at least one future or past event linked to each assumed variable that influences the corresponding assumed variables;

determining, by use of the computer system, a first present value of the future financial value stream of the business enterprise with respect to a first point in time by aggregating the influences on the future financial value stream attributable to the assumed variables and adjusting the future financial value stream for a time value of money; [[and]]

repeatedly determining and presenting a series of updated present values of the future financial value stream, each updated present value determined from the events and assumed variables in the data structure including any assumed variables that have changed in response to the occurrence or non-occurrence of one or more of the future events[[.]];

determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time; and

attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time. --

Authorization for this examiner's amendment was given by David Alberti by sending a Fax 10/26/2007.

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Current drawings have handwritten marked-ups. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Allowable Subject Matter

3. **Status of claims:** Claims 1-52 are pending and have been allowed.

4. The following is an examiner's statement of reasons for the indication of allowable subject matter allowance:

Independent claims 1, 9, 17, 21, 29, 37 and 44 are allowed because the closes prior art of record and references including Sandretto (US 5,812,988) in any combination failed to teach or render obvious to one of ordinary skill in the art, developing a data structure for determining present value of the future financial stream of a business enterprise, determining a variance between the first present value and the second present value taking into account the time value of money between the first and second points in time, and attributing the variance between the first present value and the second Present value to the occurrence or non-occurrence of events between the first and second points in time.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Abdi Kambiz can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass Harish T Dass
Primary Examiner
Art Unit 3692

10/27/07